

Applicant : Roger Thomas  
Serial No. : 10/729,185  
Filed : December 5, 2003  
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Attorney's Docket No.: P-US-PR 1108

### REMARKS

Claims 1-5 are pending, with claim 1 being independent.

#### Drawings

The drawings stand objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "24" and "52" have each been used to designate two different items. Applicant has amended the specification in paragraphs [0010] and [0014] to correct typographical errors that led to this double designation. For at least this reason, Applicant respectfully requests reconsideration and withdrawal of the objection to the drawings.

#### 35 U.S.C. § 103(a) Rejection

Claims 1-5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bellew (5,463,816) in view of Van Swearingen (3,952,484). Applicant has amended the claims to obviate the rejection.

As amended, independent claim 1 recites a planer assembly that includes, among other features, a deflector having a curved section that has a substantially U-shaped cross section connectable to the exhaust aperture and a debris collection container that includes a receptacle and a connector that is connectable between the deflector and the receptacle. Support for this amendment can be found in the specification at least, for example, in paragraphs [0010], [0017], and [0022]. Applicant respectfully request reconsideration and withdrawal of the rejection because Bellew and Van Swearingen, either alone or in combination, fail to describe or suggest a deflector having a curved section that has a substantially U-shaped cross section and a debris collection container with a connector that is connectable between the deflector and the receptacle.

Instead, Bellew describes a chip deflector 12 having a nozzle 56 that is hollow and elbow-shaped. A vacuum bag or hose may be attached over the nozzle 56. See Bellew, col. 3, lines 30-42 and col. 4, lines 8-10. Bellew does not describe or suggest both a deflector and a connector on a debris collection container, as recited in claim 1. Moreover, the chip deflector 12

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in Bellew does not include a curved section that has a substantially U-shaped cross section. Van Swearingen does not remedy the failure of Bellew to describe or suggest these features.

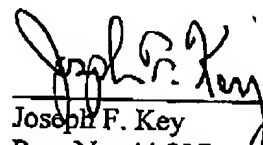
For at least this reason, Applicant respectfully requests reconsideration and withdrawal of the rejection of amended independent claim 1 and its dependent claims 2-5.

Applicants submit that all claims are in condition for allowance.

Please charge deposit account 02-2548 for the RCE fee and 1 month extension of time fee. Please apply any deficiencies or credits to deposit account 02-2548.

Respectfully submitted,

Date: 3/13/2006

  
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